

A Study on the Permissibility of the Price of Dogs¹ Permitted by Sharī‘ah to Be Kept

By Abū Islām al-Salafī al-Miṣrī

¹ Buying and Selling Dogs

In the Name of Allah, the Most Gracious, the Most Merciful

This is a research I have conducted to clarify the decisive ruling on the sale price of dogs. Previously, I adhered to the opinion that selling dogs was entirely prohibited. However, after carefully investigating certain Prophetic narrations and the statements of the Salaf concerning the price of dogs, I now differentiate in the matter. This research and my advocacy for a nuanced stance is not a defense of personal opinion, desire, or bias but rather a defense of the words of the Messenger of Allah (صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ).

The research is divided into three sections:

1. Statements of scholars and the predominant opinion.
 2. Authentic evidence for the prohibition of selling dogs.
 3. Authentic evidence for the permissibility of selling dogs that are permitted by Shari'ah.
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First Section: Scholars' Statements and the Majority's Opinion

Scholars agree that it is impermissible to keep a dog without valid justification and differ regarding the permissibility of selling it.

The majority of scholars from the Shāfi'i, Mālikī, and Ḥanbalī schools of thought, as well as the Zāhiriyyah, hold that it is impermissible to sell or purchase any dog, even those permitted by Sharī'ah to be kept.

This was the view of scholars such as al-Ḥasan al-Baṣrī, Rabī'ah, Ḥammād ibn Abī Sulaymān (the teacher of Imām Abū Ḥanīfah), al-Awzā'ī, al-Shāfi'i, Dāwūd, and others.

It is the madhab of the majority (*qawl al-jumhūr*) that the price of a dog is not permissible under any circumstances. It was also the opinion of contemporary scholars such as Imām Ibn Bāz, Imām Ibn 'Uthaymīn, al-'Allāmah al-Fawzān, as well as *Al-Lajnah ad-Dā'imah*.

Conversely, some scholars allowed the sale and purchase of dogs that Sharī'ah permits keeping. This includes the Ḥanafī school, a narration from the Ḥanbalīs, and a narration from the Mālikīs. It is also attributed to the Companions, Tābi'ūn, and scholars of the Salaf, including

Jābir ibn ‘Abdullāh, Ibn ‘Abbās, and a narration from Abū Hurayrah, as well as ‘Atā’ ibn Abī Rabāḥ, Ibrāhīm al-Nakha‘ī, al-Hārithī al-Ḥanbalī, Ishāq ibn Rāhwayh, and others.

Among Mālik’s followers, there is a difference of opinion:

- Some say it is impermissible.
- Others stated that dogs permitted to be kept, such as for guarding or hunting, may be sold. Those who permitted their sale cited the narration of Jābir as evidence. Additionally, since such dogs serve a permissible benefit and can be transferred, willed, or gifted, their sale is akin to that of donkeys.

In *Sharḥ Kifāyat al-Tālib*, it is stated:

“The sale of dogs is prohibited... There is disagreement regarding the permissibility of selling dogs that are allowed to be kept, such as those for guarding and hunting. Two well-known opinions exist on this matter.”

Ibn ‘Āṣim mentioned in *Tuhfat al-Hukkām* that the jurists unanimously permitted the sale of herding dogs, such as those used by Bedouins, while they held two opinions regarding the purchase of hunting and predatory dogs. He wrote:

“The jurists agreed that herding dogs may be sold, such as the dogs of the Bedouins. However, they held two opinions on the purchase of hunting and predatory dogs.”

Al-Qurṭubī stated:

“The well-known opinion in the Mālikī school is that keeping dogs is permissible, while selling them is disliked. If the sale occurs, it is not invalidated. Since dogs are not considered impure by Mālik, and keeping them for permissible purposes is allowed, their ruling is like that of other permissible items for sale. However, Sharī‘ah prohibited selling them as a means of discouragement, for it is not among noble ethics.”

Imām Abū Ḥanīfah and his two students, along with Saḥnūn from the Mālikīs, held that dogs with permissible uses may be sold, as they are beneficial for guarding and hunting. Abū Ḥanīfah said:

"The sale of dogs is valid."

He further elaborated:

"There is no doubt in the permissibility of selling a trained dog, as it serves as a tool for guarding and hunting, and thus it is a valid object of sale."

Muhammad stated in *al-Hujjah*:

"Abū Ḥanīfah said: 'There is no harm in the price of a hunting dog, and no harm in its sale.'"

Ibn Nāfi' and Ibn Kinānah also held this view, and it became widely known. Saḥnūn took a similar stance, saying:

"I sell it and perform hajj with its price." Ibn Rushd authenticated this view, though there is some discussion on it.

'Atā' ibn Abī Rabāḥ and al-Nakha'ī stated:

"The sale of dogs that are permitted to be kept is valid, while the sale of dogs that are impermissible to keep is prohibited."

References:

al-Mughnī (p. 172), *Tabyīn al-Haqā'iq Sharḥ Kanz al-Daqā'iq* (11/325), *Sharḥ Kifāyat al-Tālib al-Rabbānī* with 'Adawī's marginalia (6/55), *al-'Ināyah Sharḥ al-Hidāyah* (9/465), and *Zād Muslim* (vol. 5, p. 506) by Imām Muhammad Ḥabībullāh al-Mālikī al-Shanqīṭī, *al-Hujjah 'alā Ahl al-Madīnah*, 2/745, third edition, *Tawdīh al-Aḥkām min Bulūgh al-Marām* by al-'Allāmah al-Bassām, vol. 4, p. 246.

Second Section: Authentic Evidence for the Prohibition of Selling Dogs

1. Abu Juhaifah (RA) narrated:
"The Prophet (صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ) prohibited the price of a dog."
(Bukhari: 1944)
 2. Abu Mas'ud al-Ansari (RA) narrated: "**The Messenger of Allah (صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ) prohibited the price of a dog, the earnings of a prostitute, and the fee of a soothsayer.**"
(Bukhari: 2083; Muslim: 2930)
 3. Ibn Abbas (RA) said: "**The Messenger of Allah (صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ) prohibited the price of a dog. If someone insists on asking for the price of a dog, then fill his hand with dust.**"
(Abu Dawud: 3021, graded authentic by al-Albani)
 4. Abu Hurayrah (RA) narrated: "**The Messenger of Allah (صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ) said: 'The price of a dog, the fee of a soothsayer, and the earnings of a prostitute are unlawful.'**"
(Abu Dawud: 3023, graded Hasan by al-Albani)
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Third Section: Authentic Evidence for the Permissibility of Selling Permitted Dogs

1. Jabir ibn Abdullah (RA) narrated:
"The Prophet (صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ) prohibited the price of a dog except for a hunting dog."
 - Al-Shawkānī said in *al-Darārī al-Muḍiyyah* (p. 251): "Its chain of narration consists of trustworthy narrators," and it was authenticated by al-Albānī in *Ṣaḥīḥ al-Nasā'ī* (4682) and *al-Ta'liqāt al-Rādiyyah* (347/2).
2. Abu Hurayrah (RA) narrated:
"The Prophet (صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ) prohibited the price of a dog except for a hunting dog."

- Authenticated by al-Albani in *Sahih al-Jami'* (6946). ²
3. Ibn Abbas (RA) narrated:
- "The Messenger of Allah (صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ) permitted the price of a hunting dog."**
- Narrated by Abū Ḥanīfah in his *Musnad* (341) with an authentic chain of narration. ³
4. Jabir (RA) narrated:
- "The Prophet (صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ) prohibited the price of a dog except for a trained dog."**
- Authenticated in *Sahih al-Jami'* (6947).
5. The Prophet (صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ) said: "**Three earnings are unlawful: the earnings of a copper, the earnings of a prostitute, and the price of a dog, except for a trained dog.**"

² Ibn al-Turkamānī said in *al-Jawhar al-Naqī* (6/7):

"The exception was narrated through two strong chains: one via al-Walīd ibn ‘Ubaydullāh from ‘Atā’, from Abū Hurayrah, and another via al-Haytham from Hammād ibn Salamah from Abū al-Zubayr. This chain is sound (*jayyid*), showing that the ḥadīth is authentic. The exception is an addition to the narrations prohibiting the price of a dog, and it is therefore obligatory to accept it."

Husayn Salīm, in his verification of *Musnad Abī Ya‘lā* (3/429), examined this ḥadīth and said:

"It is further supported by what was narrated by Abū Ḥanīfah in his *Musnad* (no. 341) with an authentic chain from Ibn ‘Abbās (may Allah be pleased with them both), who said: 'The Messenger of Allah (صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ) permitted the price of a hunting dog.'"

³ It is also mentioned in *I‘lā’ al-Sunan* by Imām al-Tahāwī, commenting on the ḥadīth of Ibn ‘Abbās (may Allah be pleased with him):

Talḥah narrated it through Muḥammad ibn al-Mundhir, and Ibn Khusraw and Ibn al-Muẓaffar narrated it through al-Ḥusayn ibn al-Ḥusayn al-Anṭākī, both from Aḥmad ibn ‘Abdullāh al-Kindī (known as al-Lajlaj), who is weak. However, there is another chain that does not include al-Kindī. Ibn Khusraw narrated it from Ibn Khayrūn, from Abū ‘Alī ibn Shādhān, from Abū Naṣr ibn Ashkāb, from ‘Abdullāh ibn Ṭāhir, from Ismā‘il ibn Tūbah al-Qazwīnī, from Muḥammad ibn Ḥasan (from Abū Ḥanīfah).

This chain is acceptable (*Iā ba’s bih*), as noted in ‘Uqūd al-Jawāhir (2:31). Al-Zayla‘ī commented, "It is a good chain" (2:195).

In summary, Abū Ḥanīfah's stance in this matter is among the strongest both in terms of narration and reasoning. Allah knows best.

Muḥammad said in his *al-Hujāj*:

Abū Ḥanīfah said, "There is no harm in the price of a hunting dog, and no harm in its sale." (*I‘lā’ al-Sunan*, vol. 14, p. 443).

- Authenticated in *Silsilat al-Ahadith al-Sahihah* (6/1238).
6. The Prophet (صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ): "Prohibited the sale of a dog except for a hunting dog or a livestock dog." ⁴
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Clarification and Fatwa by Dr. Khalid ar-Radadi

I consulted Shaykh Dr. Khalid al-Raddādi (may Allah preserve him) ⁵—researcher and lecturer at the Islamic University of Madīnah, and the *muhaqqiq* of *Sharḥ al-Sunnah* by al-Barbahārī—regarding the permissibility of selling dogs allowed by Sharī'ah. I asked, Would I be sinful for following the opinion that permits the price of dogs allowed by Sharī'ah for purposes such as hunting, guarding, and other exceptions? This is while being aware that the majority of scholars hold the opinion of the absolute prohibition of selling dogs. Previously, I adhered to the opinion of prohibition until I came across certain ḥadīths and, after verifying them (as mentioned above) and noting that Imām al-Albānī (may Allah have mercy on him) authenticated them, I prioritized the words of the Prophet (صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ) over the opinion of the majority of scholars in this matter. Would this make me mistaken?

The Shaykh affirmed, and said: "Rather, you are correct. This is the sound opinion in this matter, which is the permissibility of selling and purchasing dogs that Sharī'ah has allowed."

He also permitted me to publish this fatwa.

Thus, this is also the opinion of our Shaykh, al-'Allāmah Dr. Khalid al-Raddādi.

⁴ This was narrated by al-Tirmidhī, who commented: "It is not authentic through this chain." He also mentioned that Abū al-Mahzam was criticized by Shu'bah.

However, it is noted: "He was not alone in narrating it. He was supported by al-Walīd and al-Muthannā, who narrated it from 'Aṭā' from Abū Hurayrah. These chains strengthen one another."

[*I'lā al-Sunan*, vol. 14, p. 439]

See also: *Tabyīn al-Haqā'iq Sharḥ Kanz al-Daqā'iq* (11/325) and *al-Majmū'* (9/228).

⁵ This research was published before the passing of Shaykh al-'Allāmah Dr. Khalid al-Raddādi, May Allah forgive him, have mercy on him, elevate his rank in Jannah, and reward him immensely for his knowledge and service to the Ummah. May He reunite us with him in the highest levels of Paradise.

Imam al-Albānī's Stance

This is also the stance of the Muḥaddith of the era, Imām al-Albānī (may Allah have mercy on him), he said:

"Two matters branch out from the differentiation between one type of dog and another. One of them is explicitly mentioned in a clear, well-known text:

'Whoever keeps a dog that is not for livestock or hunting, his reward will be decreased by one qīrāṭ (a portion equivalent to the size of Mount Uhud) every day.'

In some narrations, it states: 'Except for a hunting dog or a livestock dog,' and in some versions: 'or for farming.'

Here, the disagreement arises: is it permissible to sell and purchase this dog that is excluded from the prohibition?

There is no doubt that it is permissible to sell and purchase it.

(*Silsilat al-Huda wa al-Nūr*, Tape 209)

Imam al-Albani also said:

"The meaning of the exception is sound in reasoning, based on authentic narrations that permit keeping a hunting dog. Anything permitted to be kept also permits its sale and its price, just like any other permissible items, as thoroughly explained by Imam Abu Ja'far al-Tahawi."

(*Silsilat al-Ahadith al-Sahihah*, 6/1156).

He also said:

"This hadith with the exception is authentic and not far-fetched. He [al-Tahawi] said: 'The exception is an addition to the hadiths prohibiting the price of dogs, and it must be accepted. Allah knows best.'

I say: There are also reports from Ibrahim and 'Ata and others that there is no harm in the price of a hunting dog, as recorded by Ibn Abi Shaybah." (*Silsilat al-Ahadith al-Sahihah*, 6/1241).

Conclusion

Permitted dogs may be sold and purchased, while prohibited dogs may not. This is the view I adhere to, and the principle states: 'When Allah forbids something, He also forbids its price.' Likewise, if He permits it, He permits its price.

Also due to the benefit it contains, and everything permitted for use is also permissible to sell.

The prohibition only applies to non-trained dogs that provide no benefit.

And Allah, the Most High, knows best.

May the peace and blessings be upon our Prophet, his family, and his companions.

Written by:

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